

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DARRION W. GREEN,

Plaintiff,

v.

MICHAEL ALLEN,

Defendant.

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Case No. 4:25-cv-00146-SRC

**Memorandum and Order**

The Court previously ordered Darrion Green to either pay the required filing fee for this action or file an application for leave to proceed without prepaying the fee with “a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint.” Doc. 3 at 1. In response, Green filed an Application to Proceed in District Court Without Prepaying Fees or Costs, doc. 6, and two “Resident Transactions” ledgers, docs. 7, 11. He also submitted a note to say that his institution is short-staffed and that inmates do not receive mail on time. Doc. 10.

In the Application, Green reports no pay and no income from any source during the preceding 12-month period. Doc. 6 at 1 (The Court cites to page numbers as assigned by CM/ECF.). Where the form application requires Green to state the amount of money he has in cash or in a checking or savings account, Green wrote “0.” *Id.* at 2.

Both ledgers indicate that they cover Green’s transactions from August 26, 2024, to February 11, 2025, but the only entries on the ledgers span the 11-day period from August 26, 2024, to September 6, 2024. Docs. 7, 11. Those entries show payments totaling \$65.31 made from Green’s account for phone time, a “Gold Pass,” and other charges during the reported

period. *Id.* They show one \$35.44 deposit to Green’s account on August 27, 2024, and they show a \$0.19 “Main Balance,” but they do not include an accounting of other deposits to Green’s account or his monthly balance for the reported period. *Id.*

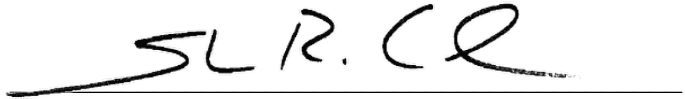
A prisoner bringing a civil action in forma pauperis “shall be required to pay the full amount of a filing fee.” 28 U.S.C. § 1915(b)(1). If the prisoner has insufficient funds in his prison account to pay the entire fee, the Court must “collect . . . an initial partial filing fee of 20 percent of the greater of . . . the average monthly deposits to the prisoner’s account[] or . . . the average monthly balance in the prisoner’s account for the 6-month period immediately preceding the filing of the complaint.” *Id.* “After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month’s income credited to the prisoner’s account.” 28 U.S.C. § 1915(b)(2). “The agency having custody of the prisoner shall forward payments . . . to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid.” *Id.*

Based on the information in the ledgers, Green’s average monthly balance was \$0.19 (because the statement shows a “[m]ain [b]alance” of \$0.19 and has no indication that this balance changed over the course of the six-month period), and his average monthly deposit was \$5.91 (because the statement shows one deposit of \$35.44 across the entire period, and  $\frac{\$35.44}{6} = \$5.91$ ). The greater of these figures is \$5.91, and 20 percent of \$5.91 is \$1.18.

Accordingly, the Court grants Green’s [6] Application to Proceed in District Court Without Prepaying Fees or Costs, assesses an initial partial filing fee of \$1.18, and orders Green to pay that amount to the Clerk of Court no later than August 15, 2025. Green’s failure to

comply with this order may result in the dismissal of this case without prejudice and without further notice.

So ordered this 1st day of July 2025.



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STEPHEN R. CLARK  
CHIEF UNITED STATES DISTRICT JUDGE